

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2007/088920

International filing date (day/month/year)
27.12.2007

Priority date (day/month/year)
19.01.2007

International Patent Classification (IPC) or both national classification and IPC
INV. G07F17/32

Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of
this opinion

see form
PCT/ISA/210

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2007/088920

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-47</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-47</u>
Industrial applicability (IA)	Yes: Claims	<u>1-47</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1. The following documents are cited in the search report:

D1 : WO 2005/098650 A (RYAN PHILLIP [AU]) 20 October 2005 (2005-10-20)
D2 : US 2006/040741 A1 (GRISWOLD CHAUNCEY W [US] ET AL GRISWOLD CHAUNCEY W [US] ET AL) 23 February 2006 (2006-02-23)
D3 : US 2006/046842 A1 (MATTICE HAROLD E [US] ET AL) 2 March 2006 (2006-03-02)
D4 : US 2003/195037 A1 (VUONG VINH THANG [US] ET AL) 16 October 2003 (2003-10-16)
D5 : US 2005/116020 A1 (SMOLUCHA WALTER E [US] ET AL) 2 June 2005 (2005-06-02)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-47 is not inventive in the sense of Article 33(3) PCT, for the following reasons:
 - 2.1. Document D1 discloses (the references in parentheses applying to this document) a method and system for providing gaming services, comprising a plurality of biometric devices for obtaining biometric data regarding people in or near a gaming establishment (cf. page 5, paragraph 2) and means for determining whether to provide a benefit to the person (cf. page 7, paragraph 7). Furthermore, the system is implemented in a network architecture (cf. page 2, paragraph 3).

The subject-matter of independent claims 1, 11 and 28 therefore differs from the known method and system for providing gaming services in that the person is categorized and in that the benefit to the person is based on the categorization.

Since this difference does not appear to solve a technical problem, but merely reflects an administrative grouping of information, it does not contribute to an inventive step.

The technical regime is only entered with the implementation of the solution to this non-technical problem. However, said implementation merely uses generic technical features, in particular the addition of a category field in the player database, which serve their well known functions and is therefore straightforward for the person skilled in data-processing.

Consequently, the person skilled in the art, with general knowledge of the technical field and normal access to examples and textbooks, would implement the proposed solution as described in the present application and defined in claims 1, 11 and 28 without the use of inventive skill to arrive at the desired result.

- 2.2. Document D1 discloses (the references in parentheses applying to this document) a player tracking system comprising player tracking media for distribution to participating customers that include customer IDs (cf. page 2, paragraph 4); a plurality of player tracking units which cooperate with the player tracking media to monitor the gaming activity (cf. page 5, paragraph 3); the tracking units being coupled to a computer system having a database to process the gaming activity data for each customer (cf. page 5, paragraph 3). Furthermore, the player tracking media may be configured as wireless devices.

The subject-matter of independent claims 40 and 46 therefore differs from the known system for player tracking in that non-gaming activity is monitored as well.

Since this difference does not appear to solve a technical problem, but merely reflects an administrative requirement to gather supplementary information, it does not contribute to an inventive step.

The technical regime is only entered with the implementation of the solution to this non-technical problem. However, said implementation merely uses generic technical features, in particular the addition of player tracking units proximate non-gaming activities, which serve their well known functions and is therefore straightforward for the person skilled in data-processing.

Consequently, the person skilled in the art, with general knowledge of the technical field and normal access to examples and textbooks, would implement the proposed solution as described in the present application and defined in claims 40 and 46 without the use of inventive skill to arrive at the desired result.

- 2.3. Dependent claims 2-10, 12-27, 29-39, 41-45, 47 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(3) PCT).

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AUTHORITY (SEPARATE SHEET)**

International application No.

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